

c.) Amendments to the claims.

Please note that the original claims were amended by applicant during prosecution of the international application.

Please amend claims 1-15 as follows:

Claim 1. (currently amended) A method for generating or increasing ~~the~~ resistance of a plant to at least one pathogen in plant organisms, ~~which comprises the following process steps comprising:~~

a) ~~transgenic expression of~~ transforming a collection of plant cells with a transgenic protein with that possesses a sucrose isomerase activity in a plant organism; and

b) ~~selection of those plant organisms in which, as opposed or as compared to the original plant, the~~ selecting a plant cell from the transformed collection that generates or shows increased resistance, as compared to the untransformed plant cell, to the at least one pathogen ~~exists or is increased.~~

Claim 2. (currently amended) The method ~~according to~~ of claim 1, wherein the sucrose isomerase ~~is described by~~ activity is derived from:

i) a protein ~~as shown in~~ containing the sequence of SEQ ID NO: 2, 6, 8, 10, 12, 14, 16, 18 or 36; ~~or~~

ii) a functional equivalent to a said protein ~~as shown in~~ SEQ ID NO: 2, 6, 8, 10, 12, 14, 16, 18 or 36; or

iii) a fragment of said protein or said functional ~~functionally equivalent fragment to a protein as shown in i) and ii).~~

Claim 3. (currently amended) The method ~~according to~~ of claim 1 ~~or 2~~, wherein the expression of the sucrose isomerase activity is ensured by a transgenic expression cassette comprising at least one nucleic acid sequence selected from the group consisting of:

- a) nucleic acid sequences encoding ~~an~~ the amino acid sequence ~~as shown in~~ of SEQ ID NO: 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 or 36; ~~and~~
- b) nucleic acid sequences encoding proteins with at least 40% homology with the sequence ~~as shown in~~ of SEQ ID NO: 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 or 36; ~~and~~
- c) nucleic acid sequences ~~as shown in~~ that contain the sequence of SEQ ID No: 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21 or 35; ~~and~~
- d) nucleic acid sequences which is degenerated to a nucleic acid sequence of c); ~~and~~
- e) nucleic acid sequences with at least 40% homology with ~~a~~ the nucleic acid sequence ~~as shown in~~ of SEQ ID No: 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21 or 35; ~~and~~
- f) nucleic acid sequences ~~which~~ that hybridize with a complementary strand of the nucleic acid sequence ~~as shown in~~ of SEQ ID No: 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21 or 35.

Claim 4. (currently amended) The method ~~according to any of claims 1 to 3 of~~ claim 1, wherein the sucrose isomerase activity is expressed under the control of a pathogen-inducible promoter which is functional in plants.

Claim 5. (currently amended) The method ~~according to any of claims 1 to 4 of~~ claim 1, wherein the pathogen is selected from the group consisting of fungi and nematodes.

Claim 6. (currently amended) The method ~~according to any of claims 1 to 5 of~~ claim 5, wherein the ~~pathogen~~ fungi is selected from the group ~~of the fungi~~ consisting of Plasmodiophoromycota, Oomycota, Ascomycota, Chytridiomycetes, Zygomycetes, Basidiomycota and Deuteromycetes.

Claim 7. (currently amended) The method according to ~~any of claims 1 to 6~~ of claim 1, wherein the plant is selected from the group consisting of potato, beet, sugar beet, tomato, banana, carrot, sugar cane, strawberry, pineapple, paw paw, soybean, oats, barley, wheat, rye, triticale, sorghum and millet, and maize.

Claim 8. (currently amended) A transgenic expression cassette comprising a nucleic acid sequence ~~encode~~ that encodes a sucrose isomerase, which is in functional linkage with a pathogen-inducible promoter ~~which~~ that is functional in plants.

Claim 9. (currently amended) The transgenic expression cassette according to ~~of~~ claim 8, wherein the sucrose isomerase is ~~defined as claimed in one of claims 2 or 3~~ a protein containing the sequence of SEQ ID NO: 2, 6, 8, 10, 12, 14, 16, 18 or 36; a functional equivalent of said protein; or a fragment of said protein or said functional equivalent.

Claim 10. (currently amended) The transgenic expression cassette according to ~~claim 8 or 9~~ of claim 8, wherein the pathogen-inducible promoter contains a sequence is selected from the group consisting of ~~one of~~ the sequences ~~as shown in~~ of SEQ ID NO: 23, 24, 32, 33 ~~or~~ and 34.

Claim 11. (currently amended) A transgenic expression vector comprising the transgenic expression cassette according to ~~any of claims 8 to 10~~ of claim 8.

Claim 12. (currently amended) A transgenic organism comprising the transgenic expression cassette of claim 8 according to ~~any of claims 8 to 10 or a transgenic expression vector as claimed in claim 11.~~

Claim 13. (currently amended) The transgenic organism ~~according to~~ of claim 12, which is a plant selected from the group of the plants consisting of potato, beet, sugar beet, tomato, banana, carrot, sugar cane, strawberry, pineapple, paw paw, soybean, oats, barley, wheat, rye, triticale, sorghum and millet, and maize.

Claim 14. (currently amended) A transgenic crop product, propagation material, cells, organs, parts, calli, cell cultures, seeds, tubers, sets or transgenic progeny of the transgenic organism ~~according to one of claims 12 to 13~~ of claim 12.

Claim 15. (currently amended) A method for the production of palatinose comprising ~~The use of the transgenic organism of claim 12 according to one of claims 12 to 13, or transgenic crop products, propagation material, cells, organs, parts, calli, cell cultures, seeds, tubers, derived therefrom or transgenic progeny according to claim 14 for the production of palatinose.~~

Please add the following as new claims 16-20:

Claim 16. (new) The transgenic expression cassette of claim 8, wherein the sucrose isomerase is derived from a transgenic expression cassette comprising at least one nucleic acid sequence selected from the group consisting of:

- a) nucleic acid sequences encoding the amino acid sequence of SEQ ID NO: 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 or 36;
- b) nucleic acid sequences encoding proteins with at least 40% homology with the sequence of SEQ ID NO: 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 or 36;
- c) nucleic acid sequences that contain the sequence of SEQ ID No: 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21 or 35;
- d) nucleic acid sequences which is degenerated to a nucleic acid sequence of c);

e) nucleic acid sequences with at least 40% homology with the nucleic acid sequence of SEQ ID No: 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21 or 35; and

f) nucleic acid sequences that hybridize with a complementary strand of the nucleic acid sequence of SEQ ID No: 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21 or 35.

Claim 17. (new) A transgenic organism comprising the transgenic expression vector of claim 11.

Claim 18. (new) A method for the production of palatinose comprising the transgenic crop products, propagation material, cells, organs, parts, calli, cell cultures, seeds, tubers, sets or transgenic progeny of claim 14.

Claim 19. (new) A method for increasing resistance of a plant to at least one pathogen comprising expressing a transgenic protein in said plant, wherein the transgenic protein possesses a sucrose isomerase activity that provides increased resistance, as compared to an unexpressing plant, to the at least one pathogen.

Claim 20. (new) The method of claim 19, wherein the transgenic protein is a protein containing the sequence of SEQ ID NO: 2, 6, 8, 10, 12, 14, 16, 18 or 36; is a functional equivalent of said protein; or is a fragment of said protein or said functional equivalent.